

ATTORNEY'S DOCKET NUMBER: 27062U

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U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: OCTOBER 14, 2005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPL. NUMBER: (if known): Not Yet Assigned <b>10/553443</b>
INTERNATL. APPL. NUMBER: PCT/EP2004/003849	INTERNATL. FILING DATE: 13 APRIL 2004 (13.04.2004)	PRIORITY DATE CLAIMED: 17 APRIL 2003 (17.04.2003) DE
TITLE OF INVENTION: PLANAR IMPLANT AND SURGICAL USE THEREOF		
APPLICANT(S) FOR DO/EO/US: ODERMATT, Erich, K.; ABELE, Wolfgang; WEGMANN, Jürgen		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2004/093737 A1; INTERNATIONAL PUBLICATION DATE: 04 NOVEMBER 2004 (04.11.2004), WHICH CONSISTS OF 28 PAGES: 1 PAGE FOR THE COVER SHEET, 1 PAGE FOR THE TRANSLATOR'S VERIFICATION OF ACCURACY; 19 PAGES OF TEXTUAL SPECIFICATION, 4 PAGES OF 28 CLAIMS, 1 PAGE OF THE ABSTRACT, 2 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED</b>; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); PCT REQUEST (PCT/RO/101); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</li> </ol>		

ICCS Rec'd PCT/PTO 14 OCT 2005

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U.S. APPL. NUMBER: (If known: Not Yet Assigned) <div style="font-size: 1.5em; font-weight: bold;">10/553443</div>	INTERNATL. APPL. NUMBER: PCT/EP2004/003849	DATE: OCTOBER 14 2005
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The following fees are submitted:  20. Basic National Fee ..... \$ 300.00  21. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) ..... \$ 100.00 All other situations ..... \$ 200.00  22. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office ..... \$ 400.00 All other situations ..... \$ 500.00  ____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.  <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u>  \$ 300.00     \$ 200.00     \$ 400.00     \$ 900.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		
TOTAL	28-20=	8	X \$ 50.00	\$ 400.00	
INDEPENDENT	1- 3=	0	X \$ 200.00	\$ 0.00	
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,300.00	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$ 1,300.00	
Processing fee of \$130.00 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 1,300.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 1,300.00	
				Amount to be: refunded	\$
				charged	\$

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a. ☒ A check in the amount of \$ 1,300.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees, which June be required, or credit any overpayment to Deposit Account Number: 14-0112.


d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form June become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
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MAIL STOP PCT  
Attorney Docket: 27062U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ODERMATT, et al.

Appl. No.: Not Yet Assigned

Filed: October 14 2005

Internatl. Appl. No.: PCT/EP2004/003849

Internatl. Filing Date: 13 April 2004. (13.04.2004)

Title: **PLANAR IMPLANT AND SURGICAL USE THEREOF**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (2) International Publication Number: WO 2004/093737 A1; International Publication Date: 04 November 2004 (04.11.2004), which consists of 28 pages:
  - 1 page for the Cover Sheet,
  - 1 page for the Translator's Verification of Accuracy,
  - 19 pages of Textual Specification,
  - 4 pages of 28 Claims,
  - 1 page of the Abstract,
  - 2 sheets of Drawings;
- (3) **Preliminary Amendment with Attachment A to be Examined;**
- (4) Unexecuted Declaration and Power of Attorney;
- (5) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (6) PCT Request (PCT/RO/101);
- (7) Check No.: 1084 in the Amount of \$ 1,300.00 for the Basic Filing Fee, which includes the Search and Examination Fees (900.00), and for 8 Total Claims over 20 (400.00), as a Large Entity;
- (8) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: October 14, 2005

By: 

Gary M. Nath  
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